

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JAN P. HOLICK, JR., STEVEN MOFFITT,  
JUSTIN MOFFITT, GURWINDER SINGH,  
JASON MACK, WILLIAM BURRELL, and  
TIMOTHY M. PRATT,

Plaintiffs on behalf  
of themselves and  
all others similarly  
situated,

Case No. 1:12-CV-584 (NAM/DJS)  
(Lead Case)

-against-

CELLULAR SALES OF NEW YORK, LLC, and  
CELLULAR SALES OF KNOXVILLE, INC.,

Defendants.

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**NOTICE OF DEFENDANTS' MOTION TO DECERTIFY  
COLLECTIVE ACTIONS PURSUANT TO 29 U.S.C. § 216(b)**

PLEASE TAKE NOTICE that, upon the annexed Affidavit of C. Larry Carbo, III, together with supporting exhibits, the Declaration of Timothy Blackburn, the Declaration of John Harris, and the accompanying Memorandum of Law, and upon all prior pleadings and proceedings herein, Defendants Cellular Sales of Knoxville, Inc. and Cellular Sales of New York, LLC will move this Court before the Honorable Judge Norman A. Mordue in the United States District Court, Northern District of New York, James M. Hanley Federal Building, 100 S. Clinton Street, Syracuse, New York 13261, on the 7th day of November 2018, at 10:00 a.m. or as soon thereafter as counsel may be heard, for an Order granting Defendants' Motion to Decertify Collective Actions pursuant to 29 U.S.C. § 216(b) and dismissing the claims of the opt-in plaintiffs in this case without prejudice.

Dated: October 1, 2018

Respectfully submitted,

**CHAMBERLAIN, HRDLICKA, WHITE,  
WILLIAMS & AUGHTRY**

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***(Pro Hac Vice)***

- AND -

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**ATTORNEYS FOR DEFENDANTS**